

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-19 have been examined. Claims 1-21 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for accepting the drawings as filed on February 26, 2004, and for acknowledging claim to foreign priority and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for reviewing and initialing the documents in the Information Disclosure Statement submitted on February 26, 2004.

Objections to the Specification

The Examiner has objected to the specification as containing hyperlinks. Applicant has amended the specification in order to remove the hyperlinks from the text, and respectfully requests the objection to the specification be removed.

Claim objections

Claims 6 and 10 stand objected to for use of “and/or”. Applicant has amended claims 6 and 10 and respectfully requests that the objection be removed.

Claim rejections -- 35 U.S.C. § 101

Claims 17-19 stand rejected under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. Applicant has amended claims 17-19 as suggested by the Examiner and respectfully requests that the rejection be withdrawn.

Claim rejections – 35 U.S.C. § 102

Claims 1-11 and 13-19 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0128861 to Rhoads.

Claim 1 recites the feature wherein the information attaching means is a means to attach the second information to the print by a visual mark. The Examiner maintains that this feature is met by the calibration pattern taught by Rhoads at paragraph 308. However, Applicant respectfully disagrees with the Examiner's position.

At paragraphs 301-308, Rhoads describes use of a calibration or synchronization pattern to facilitate proper *registration* of watermark data. While the calibration pattern is a visual feature on the image, Rhoads is clear that the calibration pattern is not itself a watermark. (see paragraph 308). Rather, the calibration pattern allows the reader to find the watermark within the image by locating various cells within the image. (see specifically paragraph 305). Accordingly, the calibration feature does not indicate that the first information (i.e., watermark) is embedded in the image. Rather, the calibration feature allows the watermark to be decoded. Therefore, Applicant respectfully submits that Rhoads does not disclose or otherwise teach attaching second information which indicates that the first information is embedded in the image and which is a visual mark, as recited by claim 1. Accordingly, claim 1 is patentable over Rhoads for this reason.

Claim 17 recites similar features to claim 1, and accordingly, Applicant respectfully submits that claim 17 is patentable over Rhoads for the same reasons.

With respect to claim 4, claim 4 recites the feature of a processing means for performing a process for detection of the first information on only the photographed-image data from which

the second information is detected. The Examiner maintains that Rhoads discloses this feature at paragraph 183. However, Applicant respectfully disagrees with the Examiner's position. At paragraph 183, Rhoads describes counteracting effects of distortion in an image. To counteract such distortion, a pre-processor uses an inverse transform. However, this cited portion does not disclose any detection of the first information. Moreover, this cited portion does not disclose detection of the first information on only a portion of the photographed image data.

Accordingly, Applicant respectfully submits that claim 4 is patentable over Rhoads for this reason.

Claim 19 recites similar features to claim 4, and accordingly Applicant respectfully submits that claim 19 is patentable for the same reasons.

Applicant respectfully submits that the remaining claims are patentable based on their respective dependencies.

Claim rejections – 35 U.S.C. § 103

Claim 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rhoads in view of U.S. Patent Application Publication No. 2002/0018139 to Yamagata.

Claim 12 depends from claim 4, which has been shown above to be patentable over Rhoads. Yamagata does not cure the deficiencies of Rhoads. Therefore, Applicant respectfully submits that claim 12 is patentable over the Rhoads and Yamagata combination for this reason.

New claims

Applicant herein adds claims 20-21 in order to claim additional features of the invention, and Applicant respectfully submits that Claims 20-21 are patentable based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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